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10/656,525	09/05/2003	Lee B. Barton	oracle01.027	9521
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GORDON E. NELSON, PATENT ATTORNEY, PC			MORRISON, JAY A	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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genelson@northshorepatents.com
mbaillie@northshorepatents.com

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte LEE B. BARTON; GEORGE H. CLABORN

Application 10/656,525
Technology Center 2100

Mailed: [Date of mailing]

Before KRISTA ZELE, *Deputy Chief Appeals Administrator.*

KRISTA ZELE, *Deputy Chief Appeals Administrator.*

ORDER RETURNING UNDOCKETED APPEAL

This application was electronically received by the Board of Patent Appeals and Interferences on September 30, 2008. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter(s) requiring attention prior to docketing.

AMENDMENT AFTER FINAL

A review of the file indicates that on February 18, 2007; April 17, 2007, and April 18, 2007, Appellant filed three different Amendments After Final in response to the Final Rejection mailed October 18, 2006. It is not clear whether these Amendments have been considered because an Advisory Action has not been mailed to indicate whether or not the proposed amendments will or will not be entered for purposes of appeal. Clarification from the Examiner is required.

CONCLUSION

It is therefore ORDERED that the Examiner:

- (1) appropriately respond to all of the Amendments After Final;
- (2) vacate the Examiner's Answer mailed November 27, 2007;
- (3) provide a new Examiner's Answer including a correct "Status of Amendment" section in addition to correction to other sections as may be required; and,
- (4) for such further action as may be appropriate.

Application 10/656,525

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797

KZ/MAT

Gordon E. Nelson
Patent Attorney, PC
57 Central Street
PO Box 782
Rowley MA 01969